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4 BILL NO. G-73-10-53 (AS AMENDED)
5

6 GENERAL ORDINANCE NO. G-08-74
7

8 AN ORDINANCE amending Section 17 of the
9 Zoning Ordinance of the City of Fort Wayne,
10 Indiana, by adding a provision for screen
11 fencing for junk yards, refuse dumps, and
12 certain other open land uses.

13 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
14 INDIANA:
15

16 SECTION 1. It is the purpose of this ordinance to provide that
17 the operation of Junk Yards, Refuse Dumps or Public Garages with
18 outside overnight storage of ten (10) or more vehicles as defined in
19 this chapter be effectively screened to prevent neighborhood blight,
20 loss of property values for residential, commercial, and industrial
21 uses adjacent to and within view of said Junk Yards, Refuse Dumps,
22 or Public Garages with outside storage for ten (10) or more vehicles
23 and to make the same safe for the public health, safety and general
24 welfare.
25

26 SECTION 2. Section 17 of Chapter 36 of the Municipal Code of
27 the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance
28 No. 2836 and subsequent amendments, is hereby amended by adding there-
29 to the following:
30

31 Section 17.B
32

33 (6) Junk Yard, Refuse Dump, or Public Garage Fencing:
34

- 35 (a) An opaque, solid fence having a height above
ground level of not less than seven (7) feet
shall be erected on all perimeters of all Junk
Yards, as defined in this chapter, Refuse
Dumps and Public Garages with outside over-
night storage of ten (10) or more vehicles, as
defined in this chapter. The fencing shall
be uniform material, color, and height, provided,
however, that the provisions of paragraph (3)

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4 of this section referring to corner visibility must
be adhered to.

- 5 (b) Any Junk Yard, Refuse Dump, or Public Garage with over-
6 night storage for ten (10) or more vehicles existing
7 as a permitted or non-conforming use, whether legal
8 or not, upon effective date of this paragraph, must,
9 if they are to continue, have an opaque fence as
described in paragraph (a) above erected on all the
perimeters of said use not later than six (6) months
from enactment of this ordinance.

10 SECTION 3. If any part, parts, section, sections, provision,
11 clause or portion of this ordinance shall be adjudged invalid or un-
12 constitutional, such invalidity or unconstitutionality shall not
13 affect the validity or constitutionality of this ordinance as a whole
14 or any other part, section, clause, provision, or portion of this
15 ordinance.

16 SECTION 4. This Ordinance shall be in full force and effect
17 from and after its passage, approval by the Mayor, and legal public-
18 ation thereof.

19
20 John Nuckols
Councilman
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Read the first time in full and on motion by Nichols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 10-23-73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nichols, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (lost) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 4-23-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-08-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A. M., E.S.T.

Don A. Lehard
MAYOR

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 23, 1973, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-73-10-53; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 28, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS subject to the addition of the following maintenance clause:

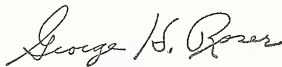
To be added to Section 2, Section 17.B. (6) (a):

This fencing shall also be properly maintained, in structure, material and color.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 28, 1974.

Certified and signed this
7th day of March, 1974.



George H. Roser
Secretary

*Back to
Plan Comm.
for redrafting*

Hook

Bill No. G-73-10-53

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending Section 17 of the Zoning Ordinance of the City of Fort
Wayne, Indiana, by adding a provision for screen fencing for
junk yards, refuse dumps, and certain other open land uses.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance is amended PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

CONCURRED IN
DATE 4-23-79 CHARLES W. WESTERMAN, CITY CLERK

BILL NO. G-73-10-53 (as amended)

GENERAL ORDINANCE NO. G- 08-74

An Ordinance Amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. It is the purpose of this ordinance to provide that the operations of junk yards, refuse dumps, and all open land uses as defined in this Chapter where storage, fabricating, manufacturing, processing, extraction, heavy repair or dismantling uses are conducted, be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial uses adjacent to and within view of said junk yards, refuse dumps, and open land uses, and to make the same safe for the public health, safety and general welfare.

Section 2. Section 17 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 17.B.

(6) Junk Yard, Refuse Dumps and Open Land Use Screen Fencing:

(a) An opaque, solid, screen fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all junk yards, as defined in this chapter, refuse dumps and all open land uses as defined in this Chapter where storage, fabricating, manufacturing, processing, ex-

traction, heavy repair, or dismantling uses are conducted in all districts. The fencing shall be of uniform material, color, and height, provided, however, that the provisions of paragraph (3) of this section referring to Corner Visibility must be adhered to.

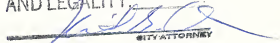
(b) Any junk yard, refuse dump, or open use of land where storage, fabricating, manufacturing, processing, extraction, heavy repair or dismantling uses are conducted, existing as a permitted or non-conforming use, whether legal or not, upon the effective date of this paragraph, must, if they are to continue, have an opaque screen fence as described in paragraph (a) above erected on all the perimeters of said use not later than March 1, 1975.

Section 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY.


CITY ATTORNEY



THE CITY OF FORT WAYNE

office of city plan commission

April 15, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached is the redefinition of uses included in the Junk Yard Screening Ordinance Bill No. G-73-10-53 as you requested. The attached redefinition excludes the large processing, extracting and manufacturing uses that was a major concern yet it still controls uses that have a serious negative effect on residential neighborhoods.

I will be glad to appear before you and answer any questions.

Sincerely,

CITY PLAN COMMISSION

Richard S. Wanush
Senior Planner

RSW:pb

JUNK YARD SCREENING ORDINANCE

Suggested Rewording of Bill No. G-73-10-53:

Section 1. It is the purpose of this ordinance to provide that the operation of Junk Yards, Refuse Dumps or Public Garages with outside overnight storage of ten (10) or more ~~cars~~ ^{vehicles} as defined in this chapter be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial uses adjacent to and within view of said Junk Yards, Refuse Dumps, or Public Garages with outside storage for ~~five (5)~~ ^{ten (10)} or more ~~cars~~ ^{vehicles}, and to make the same safe for the public health, safety and general welfare.

Section 17.B

(6) Junk Yard, Refuse Dump, or Public Garage Fencing:

- (a) An opaque, solid fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all Junk Yards, as defined in this chapter, Refuse Dumps and Public Garages with outside overnight storage of ten (10) or more ~~cars~~ ^{vehicles} as defined in this chapter. The fencing shall be of uniform material, color, and height, provided, however, that the provisions of paragraph (3) of this section referring to corner visibility must be adhered to.
- (b) Any Junk Yard, Refuse Dump, or Public Garage with overnight storage for ten (10) or more ~~cars~~ ^{vehicles}, existing as a permitted or non-conforming use, whether legal or not, upon effective date of this paragraph, must, if they are to continue, have an opaque fence as described in paragraph (a) above erected

Suggested Rewording of Bill No. G-73-10-53:

on all the perimeters of said use not later than
six (6) months from enactment of this ordinance.

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

September 25, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment concerning the amendment of the Zoning Ordinance (Geral Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). This resolution was acted upon by the City Plan Commission at their regular meeting held September 24, 1973.

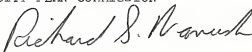
This is an ordinance amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

Through this resolution, the Plan Commission hereby petitions the Common Council to introduce the attached ordinance and refer it back to the Plan Commission for further study.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION


Richard S. Wanush
Senior Planner

RSW:pr

Att.

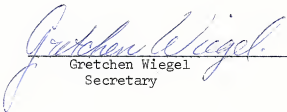
CC: Mayor Ivan Lebamoff

RESOLUTION FOR ZONING ORDINANCE AMENDMENT

RESOLVED, that the Fort Wayne City Plan Commission request that The Fort Wayne City Council introduce the attached ordinance concerning an amendment to the Zoning Ordinance that requires the screening of junk yards and other open uses.

BE IT FURTHER RESOLVED that the City Council refer said ordinance to the City Plan Commission for further study and for a public hearing.

Certified and signed this
24th day of September, 1973.



Gretchen Wiegel
Secretary

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Richard Wanush - City Plan Commission Date 3-15-74

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council - March 19, 1974

COPIES TO:

RE: BILL NO. G-73-10-53

AN ORDINANCE amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

BILL NO. Z-73-07-03

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

Your presence is requested on March 19, 1974, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and John Nuckols, Chairman of the Standing Committee on Regulations, in regard to the above bills.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bill.

Charlie

Number assigned by Dave Keller's Office: # 3241

DIGEST SHEET

273-10-53

TITLE OF ORDINANCE An ordinance Amending Section 17 of the Zoning Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE An ordinance amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps and certain other open land uses.

EFFECT OF PASSAGE This would amend the Zoning Ordinance book, Section 17, by adding the provision for screen fencing for junk yards, refuse dumps and certain other open land uses.

EFFECT OF NON-PASSAGE Zoning Ordinance would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

April 25, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of April 27 and May 4, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana -

Bill No. G-74-04-17 - Vacation of
alley
Bill No. Z-73-12-09 - Zoning Map
No. F7 & G7.
Bill No. G-73-10-53 (AS AMENDED)
regarding fencing for junk yards.

Please send us six copies of the PUBLISHER'S AFFIDAVIT.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 3



Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions. 2

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date May 8, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
 ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

April 27, 1974

May 4, 1974

Subscribed and sworn to before me this 8th day of May 1974

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 23rd day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following G-08-74 General Bill No. G-08-74 (AS AMENDED) Ordinance, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is the purpose of this ordinance to provide that the operation of Junk Yards, Refuse Dumps or Public Garages with outside overnight storage of ten (10) or more vehicles as defined in this chapter be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial uses adjacent to and within view of said Junk Yards, Refuse Dumps, or Public Garages with outside storage for ten (10) or more vehicles and to make the same safe for the public health, safety and general welfare.

SECTION 2. Section 17 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 283 and subsequent amendments, is hereby amended by adding thereto the following:

Section 17.8 (c) Junk Yard, Refuse Dump, or Public Garage Fencing:

(a) An opaque, solid fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all Junk Yards, as defined in this chapter, Refuse Dumps and Public Garages with outside overnight storage of ten (10) or more vehicles, as defined in this chapter. The fencing shall be uniform material, color and height; provided, however, that the provisions of paragraph (3) of this section referring to corner visibility must be adhered to.

(b) Any Junk Yard, Refuse Dump, or Public Garage with overnight storage for ten (10) or more vehicles existing as a permitted or non-conforming use, whether legal or not, upon effective date of this paragraph, must, if they are to continue, have an opaque fence as described in paragraph (a) above

erected on all the perimeters of said use not later than six (6) months from enactment of this ordinance.

SECTION 3. If any part, part, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision or portion of this ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols, Councilman, Read the third time in full and on motion duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Nine: Burns, Hingpa, Kraus, Moser, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico.

Mays: None.
 Date: 4-23-74.

Charles W. Westerman, City Clerk,
 Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-08-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Samuel J. Talarico, Presiding Officer,
 Charles W. Westerman, City Clerk,
 Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk,
 Approved and signed by me this 24th day of April, 1974, at the hour of 11:48 o'clock A.M., E.S.T.

Ivan A. Lebaroff, Mayor,
 I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of General Ordinance No. G-08-74 passed by the Common Council on the 23rd day of April, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of April, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of April, 1974.

Charles W. Westerman, City Clerk.

To JOURNAL-GAZETTE Dr

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head	number of lines
1	1
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113

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314

COMPUTATION OF CHARGES

114 lines.....columns wide equals.....equivalent lines at .288¢
cents per line 32.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	(4)	<div style="border-top: 1px solid black; display: inline-block; width: 100px; text-align: right;">2.00</div>
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TOTAL AMOUNT OF CLAIM

\$ 34.83

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ pointNumber of insertions. 2Size of quad upon which type is cast 5 $\frac{1}{8}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Kald

Date May 8, 19 74

Title.....CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the _____

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city } of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

April 27, 1974

May 4, 1977

Subscribed and sworn to before me this 8th day of May 1974

Notary Public

My commission expires March 11, 1978

[illegible]

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions 2

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date May 8, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8 the dates of publication being as follows:

April 27, 1974

May 4, 1974

Subscribed and sworn to before me this 8th day of May 19 74

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 23rd day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following G-68-74 General Bill No. G-73-10-53 (AS AMENDED) Ordinance, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is the purpose of this ordinance to provide that the operation of junk yards, Refuse Dumps or Public Garages with outside overnight storage of ten (10) or more vehicles as defined in this chapter be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial areas adjacent to and within view of said junk yards, Refuse Dumps, or Public Garages with outside storage for ten (10) or more vehicles and to make the same safe for the public health, safety and general welfare.

SECTION 2. Section 17 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 17.8 (6) Junk Yard, Refuse Dump, or Public Garage Fencing:

(a) An opaque, solid fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all Junk Yards, as defined in this chapter, Refuse Dumps and Public Garages with outside overnight storage of ten (10) or more vehicles as defined in this chapter. The fencing shall be uniform material, color, and height provided, however, that the provisions of paragraph (3) of this section referring to corner visibility must be adhered to.

(b) Any Junk Yard, Refuse Dump, or Public Garage with overnight storage for ten (10) or more vehicles existing as a permitted or non-conforming use, whether legal or not, upon effective date of this ordinance, must, if they are to continue, have an opaque fence as described in paragraph (a) above erected on all the perimeters of said use not later than six (6) months from enactment of this ordinance.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or part of this ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckels, Councilman, Read the third time in full and on motion by Nuckels, seconded by V. Schmidt and duly adopted, placed on its passage.

PASSED by the following vote:
Ayes: Nine: Burns, Mingos, Krous, Moses, Nuckels, D. Schmidt, V. Schmidt, Stier, Talarico.

Nays: None.

Date: 4-23-74.

Charles W. Westerman, City Clerk, Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-68-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Samuel J. Talarico, Presiding Officer.

Charles W. Westerman, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E-5-1.

Charles W. Westerman, City Clerk.

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E-5-1.

Ivan A. Lebamort, Mayor.

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-68-74 passed by the Common Council on the 23rd day of April, 1974 and that said Ordinance was duly signed and approved by the Mayor on the 24th day of April, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal at the City of Fort Wayne, Indiana, this 24th day of April, 1974.

Charles W. Westerman, City Clerk,

4-27, 5-4.

Common Council-City of Ft. Wayne
(Governmental Unit)To NEWS-SENTINEL Dr.Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1131114

COMPUTATION OF CHARGES

114 lines, columns wide equals equivalent lines at 288¢ cents per line\$ 32.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

(4)2.00

TOTAL AMOUNT OF CLAIM

\$ 34.83

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 8, 19 74Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, saysthat She is Clerk of theNEWS-SENTINELDAILYa newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8 the dates of publication being

as follows:

April 27, 1974May 1, 1974Subscribed and sworn to before me this 8th day of May 19 74

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 23rd day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following G-68-74 General Ordinance, to-wit:

AMENDED Ordinance, to-wit: G-68-74

Charles W. Westerman, City Clerk, of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

I, Charles W. Westerman, Mayor, City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance passed by the Common Council on the 23rd day of April, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of April, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of April, 1974.

Charles W. Westerman, City Clerk.

Richard Lazarus, professor of psychology at the University of California at Berkeley and an expert on psychological stress, has told me that the true and correct version of the Ordinance is "compliance," "Under another is compliance," "Under severe stress," "Compliance is merely complying with the wishes of her captors," Lazarus says.

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